

TFW

1632

PATENT

Attorney Docket No.: OSLER1130-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan Clarke Peterson Art Unit: 1632  
Application No.: 10/562,952 Examiner: Not Yet Assigned  
Filing Date: April 5, 2006 Conf. No.: 8697  
Title: **NON-INBRED EMBRYONIC STEM CELLS HAVING GOOD  
DEVELOPMENTAL POTENTIAL**

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,  
please find the following:

- (1) Request for Corrected Filing Receipt; (2 pgs)
- (2) Copy of Filing Receipt reflecting changes; (2 pgs)
- (3) Copy of Signed Declaration; (3 pgs) and
- (4) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>9-21-06</u> , in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Ginia M. Najar</u> (Name of Person Mailing Paper)	
<u>[Signature]</u> (Signature)	<u>9-21-06</u> (Date)

In re Application of:

Alan Clarke Peterson

Application No.: 10/562,952

Filing Date: April 5, 2006

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PATENT

Attorney Docket No.: OSLER1130-1

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 07-1896. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date: September 21, 2006



Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

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**USPTO CUSTOMER NO. 28213**

DLA PIPER US LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133



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Attorney Docket No.: OSLER1130-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan Clarke Peterson  
Application No.: 10/562,952  
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Art Unit: 1632  
Examiner: Not Yet Assigned  
Conf. No.: 8697

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

Please correct the inventor's middle name from "Clark" to **-CLARKE--**.

Applicant accordingly requests the correction be made of record.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>9-21-06</u> , in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Yima Noja</u> (Name of Person Mailing Paper)	
<u>[Signature]</u> (Signature)	<u>9-21-06</u> (Date)

In re Application of:

Alan Clarke Peterson

Application No.: 10/562,952

Filing Date: April 5, 2006

Page 2

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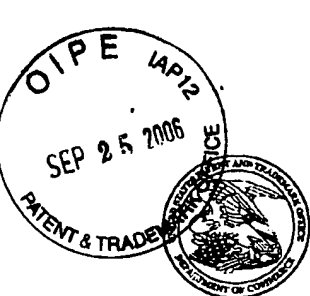
Facsimile: (858) 677-1465

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**MAY 10 2006**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**DLA PIPER**  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/562,952	04/05/2006	1632	765	OSLER1130-1	14	26	4

**CONFIRMATION NO. 8697**

28213  
DLA PIPER RUDNICK GRAY CARY US, LLP  
4365 EXECUTIVE DRIVE  
SUITE 1100  
SAN DIEGO, CA 92121-2133

**FILING RECEIPT**



Date Mailed: 05/04/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s) *-- darke -- correct*  
Alan ~~Clark~~ Peterson, Montreal, QC, CANADA;

PATENT DOCKETING

**MAY 10 2006**

**DLA PIPER**

**Power of Attorney:** The patent practitioners associated with Customer Number 28213.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/CA04/00998 07/08/2004  
which claims benefit of 60/485,430 07/08/2003

**Foreign Applications**

If Required, Foreign Filing License Granted: 04/24/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/562,952**

Projected Publication Date: 08/03/2006

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Non-inbred embryonic stem cells having good developmental potential

**Preliminary Class**

800

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.



ATTORNEY DOCKET NO.:  
OSLER1130-1

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **NON-INBRED EMBRYONIC STEM CELLS HAVING GOOD DEVELOPMENTAL POTENTIAL**, the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on December 30, 2005, with an International Application date of July 8, 2004 (Attorney Docket No.: OSLER1130-1), as U.S. Application Serial No. 10/562,952 and was amended on \_\_\_\_\_ if applicable (the "Application").

**I hereby authorize and request insertion of the application serial number of the Application when officially known.**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C.  
Section 119(e) of any United States provisional application(s) listed below:

<u>60/485,430</u> (Application Serial No.)	<u>July 8, 2003</u> (Filing Date)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C.  
Section 120 of any United States application(s), or Section 365(c) of any PCT International  
application designating the United States, listed below and, insofar as the subject matter of  
each of the claims of the application is not disclosed in the prior United States or PCT  
International application in the manner provided by the first paragraph of 35 U.S.C.  
Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark  
Office all information known to me to be material to patentability of the subject matter of the  
Application as defined in Title 37, C.F.R., Section 1.56 which became available between the  
filing date of the prior application and the national or PCT International filing date of the  
Application:

<u>PCT/CA2004/000998</u> (Application Serial No.)	<u>July 8, 2004</u> (Filing Date)	<u>Patented</u> (Status) (patented, pending, abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status) (patented, pending, abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status) (patented, pending, abandoned)



I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Alan Clarke Peterson

Inventor's signature: Alan C. Peterson

Date: Feb 14, 2006

Residence: Montréal, Québec, Canada

Country of Citizenship: Canada

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Montréal, Québec H3Y 3B4 Canada